

## **REMARKS/ARGUMENTS**

Claims 71-79 and 93-112 remain in the application for further prosecution. Although none of the claims has been amended, a Listing of Claims has been provided for convenience purposes. Additionally, Applicants respectfully note that the current Office Action incorrectly identifies claims 91 and 92 as being pending. These claims have been previously cancelled.

### **Rejections**

Claims 74, 96, and 104 have been rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the enablement requirement.

Claims 71-79 and 93-109 have been rejected under 35 U.S.C § 102(e) as allegedly being anticipated by U.S. Patent No. 7,267,614 to Jorasch *et al.* to (“Jorasch”).

Claims 71, 93, 102, and 109 have been rejected under 35 U.S.C § 103(a) as allegedly being unpatentable over Jorasch and further in view of U.S. Patent Application Publication No. 2001/0036865 A1 to Neal, III (“Neal”).

Claim 110 has been rejected under 35 U.S.C § 103(a) as allegedly being unpatentable over Jorasch.

Claims 71-79 and 93-112 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 7,071,845 B2 to Ivancic (“Ivancic”).

### **Personal Interview**

The Applicants note with appreciation the personal interview of September 1, 2009, with Examiners Emmanuel Omotosho and John Hotaling. The Applicants’ representatives were attorneys Jeremie Moll and Sorinel Cimpoes, and technical adviser Tim Loose. The Applicants

agree with the Interview Summary that none of the references, cited alone or in combination, teaches the currently claimed invention.

**Regarding the § 112 rejection,** the Applicants' representatives argued that one of ordinary skill in the art would understand that the phrase "the microcontroller being associated solely with the game button" means that the microcontroller is dedicated to, or intended to, solely control the game button (and not another game button). The Examiners agreed that claims 74, 96, and 104, are in compliance with the enablement requirement.

**Regarding the § 102(e) rejection in view of Jorasch,** the Applicants' representatives argued that the rejection is improper at least because Jorasch fails to disclose a button physically mounted on a gaming machine (as previously agreed by Examiner Omotosho). The Examiners agreed.

**Regarding the § 103 rejection over Jorasch in view of Neal,** the Applicants' representatives argued that neither Jorasch nor Neal discloses the claimed game button. The Examiners agreed.

**Regarding the § 103 rejection over Jorasch,** the Applicants' representatives argued that Jorasch fails to disclose several claim elements, including (for example) a button that is physically mounted on a gaming machine. The Examiners agreed.

**Regarding the § 103 rejection over Ivancic,** the Applicants' representatives argued that one of ordinary skill in the art would not interpret Ivancic's computer and phone device to be a gaming machine, or that Ivancic discloses a game button. The Applicant's representatives also argued that Ivancic fails to disclose a processor located in a button or dedicated to a single, independent button. For example, none of the key displays 57 of the disclosed keyboard has its own processor mounted in the key display itself. Referring to FIG. 5 of Ivancic, it is clear that

processor 51 and the programmable logic unit 52 are located away from any of the nine disclosed key displays 57. As stated in the previously submitted Declaration of Charles R. Bleich, “one of ordinary skill in the art at the time of the invention would have avoided putting control circuitry (which includes microcontrollers) within an individual game button,” which is “repeatedly ‘pounded on’ by players at the gaming machines.” The Examiners agreed that Ivancic fails to disclose a processor located in a button, and, as such, Ivancic fails to disclose the claimed subject matter.

At the end of the interview, Examiner Omotosho noted that the pending claims should be allowable.

**Conclusion**

It is the Applicants' belief that all of the claims are now in condition for allowance and action towards that effect is respectfully requested. If there are any matters which may be resolved or clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney at the number indicated.

Upon filing of this response, a fee of \$490 is being paid for a two-month extension of time via the deposit account identified below. It is believed that no other fees are presently due. However, should any other fees be required, the Commissioner is authorized to deduct the fees from Nixon Peabody LLP Deposit Account No. 50-4181, Order No. 247079-000214USP1.

Respectfully submitted,

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